

ENTERED

May 10, 2019

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION****UNITED STATES OF AMERICA**

§

VS.

§

§

CRIMINAL ACTION NO. 5:19-CR-353

§

MARIO ANDREI SERRATO MORENO

§

ORDER

Defendant Mario Andrei Serrato Moreno stands charged with unlawful possession of a firearm by an alien. (Dkt. 12.) On May 2, 2019, Defendant filed a motion to suppress all evidence seized in the case. (Dkt. 16.) The Court struck that motion from the record because it contained no legal authority relevant to the facts alleged in the criminal complaint. (Dkt. 17; *see* Dkt. 4.) *See* S.D. Tex. Criminal Local Rule 12.2 (requiring all pretrial motions to “state specifically the basis for the” relief requested and include “a statement of authority” in support of the movant’s argument).

Defendant has now filed an amended motion to suppress. (Dkt. 18.) This filing exhibits the same defects as the original motion. It cites the same cases—in fact, the amended motion cites even fewer cases than the original one—and fails to connect them to Defendant’s case in any coherent way. (*See id.* at 1–2.) For example, Defendant alleges he was stopped by state police, presumably for a traffic violation, and yet cites a case about the authority of federal immigration patrols. (*Id.* at 2.) The other two cases Defendant cites address unreasonable extensions of vehicle stops. (*Id.*) However, Defendant never states how or why he believes his stop became unreasonably prolonged. In short, Defendant’s amended motion lacks both facts and law and provides no reasoning to support his perfunctory claim of a constitutional violation. Because Defendant has once again disregarded the Local Rules, his amended motion to suppress

(Dkt. 18) is hereby STRICKEN.

IT IS SO ORDERED.

SIGNED this 10th day of May, 2019.

A handwritten signature in black ink, appearing to read 'D Saldaña', written over a horizontal line.

Diana Saldaña
United States District Judge